

EXHIBIT 42

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3 ORACLE USA, INC., a
Colorado corporation;
ORACLE AMERICA INC., a
4 Delaware Corporation; and
ORACLE INTERNATIONAL
5 CORPORATION, a California
Corporation,

Plaintiffs, CASE NO.
7 2:10-cv-00106-LRH-PAL

vs.

9 RIMINI STREET, INC., a
Nevada corporation; SETH
RAVIN, an individual,

Defendants

13 HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY

15 VIDEOTAPED

DEPOSITION OF: Timothy Brian Conley

NAME: _____

S e p t e m b e r 1 2 0 1 1

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September 1, 2011

18

9:03 a.m. to 6:29 p.m.

LOCATION:

Westin Hotel

7627 West Courtney

Campbell

21 TAKEN BY:

Plaintiffs

22 REPORTER:

Lori L. Bundy,
FPR, RPR, CRR, CLP

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1 VIDEOGRAPHER: My name is Scott E. Hay of 09:05:15
 2 Veritext. The date today is September 1st, 2011. The 09:05:18
 3 time is approximately 9:03. This deposition is being 09:05:23
 4 held at the Westin Hotel located at 7627 West Courtney 09:05:27
 5 Campbell Causeway. 09:05:36
 6 The caption of this case is Oracle USA, 09:05:36
 7 Incorporated, et al. versus Rimini Street, 09:05:38
 8 Incorporated, et al., in the United States District 09:05:43
 9 Court, District of Nevada. The name of the witness is 09:05:45
 10 Tim Conley. 09:05:47
 11 At this time, the attorneys will identify 09:05:48
 12 themselves and the parties they represent, after which 09:05:50
 13 our court reporter, Lori Bundy, of Veritext, will 09:05:52
 14 swear in the witness and we can proceed. 09:05:55
 15 MR. HOWARD: Geoff Howard with Bingham McCutchen 09:05:
 16 for Plaintiff Oracle. 09:06:00
 17 MR. RECKERS: Rob Reckers, Shook, Hardy & Bacon 09:06:01
 18 for the Defendants, Rimini. 09:06:12
 19 THEREUPON, 09:06:12
 20 TIMOTHY BRIAN CONLEY, 09:06:12
 21 a witness, having been first duly sworn, upon his oath, 09:06:12
 22 testified as follows: 09:06:15
 23 DIRECT EXAMINATION 09:06:15
 24 BY MR. HOWARD: 09:06:15
 25 **Q. Good morning, Mr. Conley. My name is Geoff** 09:06:16

1 **Howard. I represent Oracle.** 09:06:18
 2 **Would you please state and spell your last name?** 09:06:20
 3 A. Timothy Brian Conley. T-I-M-O-T-H-Y, B-R-I-A-N, 09:06:22
 4 C-O-N-L-E-Y. 09:06:28
 5 **Q. Where are you currently employed?** 09:06:29
 6 A. Rimini Street, Incorporated. 09:06:31
 7 **Q. For how long have you been employed there?** 09:06:32
 8 A. About -- let's see. Almost three years. 09:06:34
 9 Two years and 10 months, I believe. 09:06:43
 10 **Q. When did you start?** 09:06:45
 11 A. It was the end of October, 2008. 09:06:46
 12 **Q. Have you ever worked for Oracle?** 09:06:52
 13 A. No. 09:06:56
 14 **Q. Have you ever worked for PeopleSoft?** 09:06:57
 15 A. No. 09:06:59
 16 **Q. Have you been worked for TomorrowNow?** 09:07:01
 17 A. No. 09:07:04
 18 **Q. Prior to joining Rimini, had you worked for any** 09:07:04
 19 **third-party support provider that is now owned by Oracle?** 09:07:08
 20 A. No, sir. 09:07:12
 21 **Q. What's your educational background after high** 09:07:12
 22 **school?** 09:07:14
 23 A. None. High school diploma. 09:07:14
 24 **Q. Have you had technical classes or training in** 09:07:17
 25 **software?** 09:07:20

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 1 A. PeopleSoft technical classes, yes. 09:07:21
 2 **Q. Could you describe those?** 09:07:24
 3 A. I've had PeopleTools 1 and 2, Application Engine, 09:07:25
 4 PeopleCode, SQR. I think that summarizes pretty much 09:07:33
 5 those. 09:07:39
 6 **Q. And from whom did you take those classes?** 09:07:40
 7 A. They were on-the-job training, jobs I was working 09:07:42
 8 on. 09:07:44
 9 **Q. Who was your employer at the time?** 09:07:45
 10 A. One was Crowley Maritime Corporation. The other 09:07:47
 11 was PriceWaterhouseCoopers. I think that's it. 09:07:51
 12 **Q. And when you say on-the-job training, were those** 09:07:56
 13 **formal classes organized and provided by the employer?** 09:07:58
 14 A. For PriceWatterhouseCoopers, yes. Crowley 09:08:01
 15 Maritime was at a PeopleSoft location in Atlanta, training 09:08:08
 16 class. 09:08:11
 17 **Q. What's your work background dating back to, let's** 09:08:11
 18 **say, your first job involving any kind of PeopleSoft** 09:08:26
 19 **software or Oracle software?** 09:08:30
 20 A. My first job was for CSX, the transportation, 09:08:32
 21 railroad, as a payroll analyst; just using it as a user. 09:08:36
 22 **Q. And when was that?** 09:08:42
 23 A. It was 1998. 09:08:43
 24 **Q. And what was your next job after that?** 09:08:45
 25 A. I worked for Crowley Maritime Corporation as a 09:08:47

7
 1 business analyst and as a user. 09:08:50
 2 **Q. And that was from 1998 until when?** 09:08:56
 3 A. That would have been '99 to 2000. 09:08:58
 4 **Q. What was your next job after that involving** 09:09:01
 5 **PeopleSoft software?** 09:09:04
 6 A. Right. PriceWatterhouseCoopers from 2000 until 09:09:05
 7 2003 -- no, 2004. 09:09:11
 8 **Q. And what were your responsibilities there?** 09:09:13
 9 A. Software developer. 09:09:15
 10 **Q. What kind of software were you developing?** 09:09:20
 11 A. PeopleSoft. 09:09:22
 12 **Q. What were the nature of the projects you were** 09:09:22
 13 **working on for PWC?** 09:09:25
 14 A. Customizations to SQRs, app engines, pages, 09:09:27
 15 interfaces between payroll and third-party payroll 09:09:37
 16 vendors. 09:09:42
 17 **Q. Was this acting as a consultant for existing** 09:09:42
 18 **clients of PWC?** 09:09:45
 19 A. No, it was for their internal firm services. 09:09:47
 20 **Q. So PWC's own instance of the PeopleSoft software?** 09:09:50
 21 A. Correct. 09:09:55
 22 **Q. And what applications were you working on?** 09:09:55
 23 A. HRMS payroll benefits and HR. 09:09:58
 24 **Q. All right. After PWC, where did you go?** 09:10:04
 25 A. I went into consulting, independent. 09:10:08

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1 VIDEOGRAPHER: The time is 11:14. We are back on 11:15:12
2 the record. 11:15:27
3 (Plaintiffs' Exhibit No. 313, E-mail, was marked 11:15:27
4 for identification.) 11:15:44

18 A. When would be a good time to ask for a bathroom 10:50:53
19 break? 10:50:55
20 MR. HOWARD: I was hoping to finish this fix, but 10:50:55
21 let's go ahead and take a break. We've been going for 10:50:57
22 a while. Then we'll finish up when we get back. 10:51:00
23 VIDEOGRAPHER: We're going off the record at 10:51:03
24 10:49. 10:51:10
25 (A break was taken.) 10:51:12

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1 CERTIFICATE OF OATH
2

3 STATE OF FLORIDA)

4 COUNTY OF COLLIER)

5

6 I, the undersigned authority, certify that
7 TIMOTHY BRIAN CONLEY personally appeared before me and was
8 duly sworn.

9

10 WITNESS my hand and official seal this _____
11 day of _____, 2011.

12

13

14

Lori L. Bundy

15 Lori L. Bundy

16 Notary Public - State of Florida

17 My Commission No.: DD 713641

18 Expires: September 11, 2011

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1 REPORTER'S DEPOSITION CERTIFICATE

2

3 STATE OF FLORIDA)

4 COUNTY OF COLLIER)

5

6 I, Lori L. Bundy, Certified Court Reporter and Notary
7 Public in and for the State of Florida at Large, certify
8 that I was authorized to and did stenographically report
9 the deposition of TIMOTHY BRIAN CONLEY; that a review of
10 the transcript was not requested and that the transcript
11 is a true and complete record of my stenographic notes.

12

13 I further certify that I am not a relative, employee,
14 attorney, or counsel of any of the parties; nor am I a
15 relative or employee of any of the parties' attorney or
16 counsel connected with the action; nor am I financially
17 interested in the action.

18

19 DATED this _____ day of _____, 2011.

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23 Lori L. Bundy, FPR, RPR, CRR, CLR

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